

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE THIRD DAY OF APRIL, TWO-THOUSAND AND THIRTEEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

George Drummond  
Robin Bledsoe  
Rich Krapf  
Al Woods

Staff Present:

Paul Holt, Planning Director  
Adam Kinsman, Deputy County Attorney  
José Ribeiro, Senior Planner

Mr. Al Woods called the meeting to order at 7:00 p.m.

2. PUBLIC COMMENT

Mr. Woods opened the public comment.

There being none, Mr. Woods closed the public comment.

3. MINUTES

Mr. Drummond moved to approve the minutes from the March 6, 2013 meeting.

In a unanimous voice vote, the Commission approved the minutes. (4-0)

4. COMMITTEE / COMMISSION REPORTS

A. Development Review Committee (DRC)

Mr. Rich Krapf stated the DRC met on March 27, 2013 to discuss the following cases:

C-0011-2013, Marywood Subdivision Walking Trails Amendment. Mr. Krapf stated that Mr. Ken Stubenhofer of the Pulte Group, on behalf of the Board of Directors of the Marywood Homeowners Association, submitted a conceptual plan requesting to remove two of four mulched trails from the approved development plan. Mr. Krapf stated that the trails are not required by the Zoning Ordinance and since two trails currently exist and are being maintained along with a 2.47 acre recreation area, the DRC voted (4-0) to approve the request not to install the additional two trails.

C-0018-2013, TYI Tender Home Child Care. Mr. Krapf stated that Ms. Tracy Butler submitted a conceptual plan to expand the number of children enrolled in her in-home daycare program from nine to twenty. Mr. Krapf stated that the facility currently operated 24 hours a day, seven days a week. The property is zoned R-2, General Residential and is designated Low Density Residential in the 2009 Comprehensive Plan. Mr. Krapf noted that a Special Use Permit (SUP) is required for child daycare centers with more than five children. Mr. Krapf stated that the DRC was generally supportive of staff and the applicant moving forward with an SUP application with the understanding that the business and property would need to meet all licensing requirements and may be limited by those requirements, whether nine or twenty children. Mr. Krapf noted that the applicant needs an SUP to bring the current use into compliance with the Zoning Ordinance. Mr. Krapf further noted that adjacent property owner input and the applicant's continued residency could affect the expansion.

Ms. Bledsoe moved to accept the DRC Report.

By unanimous voice vote the Commission approved the Report. (4-0)

#### B. Policy Committee

Ms. Robin Bledsoe stated the Policy Committee met on March 14, 2013 to receive an update on the Coordinated Regional Comprehensive Planning effort and to begin preparations for the upcoming joint meeting with the James City County Board of Supervisors. Ms. Bledsoe noted that Planning Division staff provided an update on the Regional Comprehensive Planning process to date, which included examples of the successful coordination efforts amongst the three localities. In addition, staff presented three documents that had been generated in the process, the draft Summary Document, the Regional Bikeways Map and the Comprehensive Transportation Study. Ms. Bledsoe stated that the Policy Committee would further discuss the three documents at its April meeting and make recommendations for elements that should be included in the County's 2014 Comprehensive Plan update.

Mr. Woods stated that a vote on the Policy Committee Report was not required.

#### C. Regional Issues Committee

Mr. Woods noted that the next scheduled Regional Issue Committee meeting would be April 23, 2013.

### 5. PUBLIC HEARING CASES

#### SUP-0001-2013, Carolina Furniture

Mr. José Ribeiro, Senior Planner, stated that at the March 12, 2013 Board of Supervisors meeting, the applicant informed staff of a recent change made to the architectural plans for the proposed building expansion which resulted in an increase in area from the

originally proposed  $\pm$  3,000 square feet to up to  $\pm$  4,500 square feet. Because the proposed change exceeded that which was advertised, staff recommended the Board of Supervisors remand the project back to the Planning Commission for consideration. Mr. Ribeiro stated that staff determined that the increase in square footage by approximately 155 square feet does not alter the overall character of the previous application and recommend that the Planning Commission recommend approval of the Special Use Permit application. Mr. Ribeiro noted that all agencies have reviewed the revised proposal and recommend approval of the application as well. Mr. Ribeiro noted that the Planning Commission recommended approval of the initial application on February 6, 2013 by a vote of 7-0.

Mr. Krapf stated that he wished to disclose that his wife owns a landscape company and has previously done design work for the applicant. Mr. Krapf noted that he had consulted with Mr. Kinsman and Mr. Holt to determine if there was any conflict of interest. Mr. Krapf stated that while there was no conflict of interest under the statute, he wished to recuse himself from the discussion and voting on this particular case so that there would be no impression of conflict of interest at a later time.

Mr. Woods opened the public comment.

There being none, Mr. Woods closed the public hearing.

Mr. Woods inquired if the Commission members wished to discuss the case.

Mrs. Bledsoe noted that she initially questioned whether the parking requirements would be affected by the increase in square footage; however, the parking is not affected and with the combined plan, is already more than is required.

Mrs. Bledsoe moved to accept the application.

Mr. Woods clarified that the combined plan referred to the combined parking plan/shared parking agreement with the Moose Lodge.

Mr. Drummond recommended that the Commission approve the additional square footage.

On a roll call vote the Planning Commission voted to recommend approval of the additional square footage. (3-0-1) (Mr. Kraph abstained.)

Mr. Woods wished the applicant much success with the project and noted that he was pleased to see the nonconforming use become a conforming use.

#### 7. PLANNING DIRECTOR'S REPORT

Mr. Holt stated that, as noted in the Planning Director report, the Historical Commission has installed a historic highway marker commemorating the Community of Grove. The

marker is located on Pocahontas Trail adjacent to Colonial Manor. Mr. Holt noted that there will be a dedication for the marker in mid-April.

8. PLANNING COMMISSION DISCUSSION AND REQUESTS

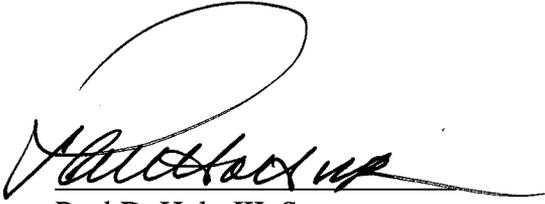
There were no requests or items for discussion.

9. ADJOURNMENT

Mr. Krapf moved to adjourn.

The meeting was adjourned at 7:15 p.m.

  
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Al Woods, Chairman

  
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Paul D. Holt, III, Secretary